IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 27TH APRIL 2007 / 7TH VAISAKHA 1929

Bail Appl..No. 2472 of 2007()

L.P.15/01 IN CC.345/1997 of J.M.F.C.-I, CHENGANNUR
.....

(CRIME NO.23/97 OF NOORANADU POLICE STATION)

PETITIONER/ACCUSED:

SWAMINADHAN @ SWAMIDASAN, S/O SANKUNNI, CHAKKUMVILAYIL HOUSE, PERUR KARAYMA MURI, THAMARAKKULAM VILLAGE.

BY ADV. SRI.NIDHI BALACHANDRAN

RESPONDENTS:
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1. **STATE OF KERALA REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.**

2. **SUB INSPECTOR OF POLICE, NOORANADU POLICE STATION, KOZHIKODE DISTRICT.**

BY PUBLIC PROSECUTOR SRI. GIKKU JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

B.A.NO.2472 OF 2007.

DATED THIS THE 27th DAY OF APRIL, 2007.

ORDER

Petitioner who is the accused in LP.No.15 of 2001 in CC.No.345/1997 on the file of the Judicial First Class Magistrate's Court, Chengannur with respect to the offence under Section 55(a) of Abkari Act has sought for a direction to the court below that there may not be an order of pre-trial detention at the time of his appearance. It was submitted that he could not appear before the court as he was not aware of the transfer of the case.

2. In the circumstances, the petitioner is directed to surrender before the court below within two weeks from today and file an application for bail. Non-bailable warrant is not to be executed in the meantime. Pre-trial detention is not required. The court below shall as far as possible dispose of the application for bail, to be filed on the date of appearance of the petitioner itself. The Bail Application is disposed of accordingly.

K.R.UDAYABHANU.
JUDGE.

kvs/-